

In Re: Methyl Tertiary Butyl Ether : Master File C.A. No.
("MTBE") Products Liability : 00 Civ. 1898 (SAS)
Litigation : MDL 1358

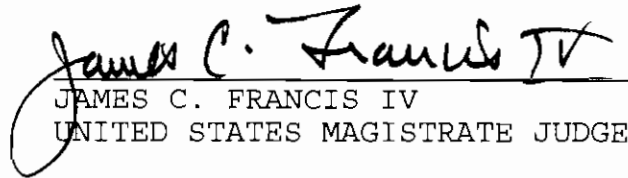
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This document pertains to: :
City of New York v. Amerada Hess, :
et al., :
No. 04 Civ. 3417 :
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JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

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The Court having reviewed the objections to designated portions of the deposition of Robert F. Staab, the objections are determined as follows:

<u>Tab</u>	<u>Pages/Lines</u>	<u>Ruling</u>
1	22:16 - 23:01	Overruled, the objection is conclusory and, as director of marketing (15:21-17:23), the witness had a basis for the challenged testimony.
2	25:04 - 25:16	Sustained; the witness has indicated an inability to answer without reference to a document.
3	32:08 - 32:11	Overruled; <u>see</u> ruling for Tab 1.
4, 5	48:16-48:17 49:02-49:23	Overruled as to foundation, authorization; the witness had a basis for testifying about the exhibit, and the surrounding circumstances were sufficient for authentication. The relevance objection is reserved for Judge Scheindlin.
6, 7	53:17-53:18 53:22-53:25 54:04-54:13 55:04-55:10	Sustained; the document is hearsay, and rather than refresh the witness' recollection, it contradicts it, <u>see</u> 55:05-55:13.
8	57:15-57:19	Sustained; <u>see</u> ruling for Tabs 6, 7.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
July 17, 2009

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